



P23802.A02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Shuichi TAKEUCHI et al.

Appln. No. : 10/652,033

Group Art Unit: 2873

Filed : September 2, 2003

Examiner: A. HARRINGTON

For : SCANNING OPTICAL SYSTEM

Confirmation No.: 1531

TERMINAL DISCLAIMER

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir :

Your petitioner, PENTAX Corporation, a corporation of Japan, whose business address is 36-9, Maenochō 2-chōme, Itabashi-ku, Tokyo, Japan, represents that it is the owner of record of the entire right, title and interest of the above-identified application by virtue of an assignment recorded in the U.S. Patent and Trademark Office on September 2, 2003 at Reel 014457, Frame 0337 of U.S. Application No. 10/652,033 for SCANNING OPTICAL SYSTEM.

I hereby declare that I am empowered to act on behalf of the assignee PENTAX Corporation in the filing of this terminal disclaimer.

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Your petitioner, PENTAX Corporation, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the patent that issues from U.S. Application No. 10/721,908, filed on November 26, 2003, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the patent that issues from U.S. Application No. 10/721,908, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of the patent to issue from U.S. Application No. 10/721,908 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the failure of common ownership stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,
Shuichi TAKEUCHI et al.

By

Z. Ohkura.

Name

Zenichi Ohkura

Director

Title

Apr. 19, 2005